

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

Kristopher Justinboyer Ervin, et. al,
Appellant,
v.

No. 23-13062

United States of America
Appellee.

**APPELLANT MATTHEW HOOVER'S UNOPPOSED MOTION
FOR EXTENSION OF TIME**

By the docketing order dated September 27, 2023, this Court established that Appellant's brief, should no transcripts be ordered, be due November 6, 2023. Because of the complicating factors which will be discussed below, Appellant Hoover, who is presently incarcerated respectfully moves this honorable Court for a 45-day extension of time to file his opening brief. Counsel for Hoover conferred with counsel for the United States Sean Siekkinen, who had no objection to the filing of this motion.

Good cause for the extension exists for the following reasons:

- 1) The appeal poses complicated Constitutional issues, and the incarcerated state of Appellant has made conferring on the appellate strategy difficult. The additional time will allow counsel the ability to properly craft the opening brief to best reflect and protect Appellant's rights.
- 2) Given the related nature of the appeal, Appellant Hoover had anticipated collaborating with co-appellant Ervin, but the record in the district court on October 25, 2023 shows that co-appellant Ervin has experienced significant setbacks, and the record in this Court does not show any appearance for appellant Ervin. An extension of time would better preserve resources for all parties, and this honorable Court, to avoid unnecessary duplication of labor.
- 3) Given the above, counsel for appellant Hoover fears he cannot adequately prepare his opening brief by November 6, 2023.
- 4) No party would be prejudiced by the granting of the relief requested.

WHEREFORE, appellant Hoover respectfully requests this honorable Court grant a 45-day extension of time to file his opening brief.

Respectfully submitted this 26th day of October, 2023,

/s/ Matthew Larosiere
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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT,
TYPEFACE REQUIREMENTS, AND TYPE-STYLE
REQUIREMENTS**

This document complies with the word limit of FRAP 27(d)(2), because, excluding the parts of the document exempted by FRAP 32(f), this document contains 263 words.

This document complies with the typeface requirements of FRAP 32(a)(5) and the type-style requirements of FRAP 32(a)(6)

/s/ Matthew Larosiere

Attorney for Appellant Matthew Raymond Hoover

Dated: this 26th day of October, 2023

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT (CIP)

USA v. Kristopher Ervin, et al, Appeal No. 23-13062. Pursuant to 11th Cir. R. 26.1-1(a), Appellant files this Certificate of Interested Persons and Corporate Disclosure Statement. The following are all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party known to the undersigned.

1. Barksdale, Hon. Patricia D., United States Magistrate Judge
2. Call, Lisa, Federal Public Defender's Office
3. Corrigan, Hon. Timothy J., United States District Judge
4. Ervin, Kristopher Justinboyer (Defendant)
5. Handberg, Roger B., United States Attorney
6. Hoover, Erica (Defendant's Wife)
7. Hoover, Matthew Raymond (Defendant)

8. Hoppmann, Karin, former Acting United States Attorney
9. Howard, Marcia Morales (Trial Judge)
10. King, Alex, Esq.
11. Klindt, Hon. James R., United States Magistrate Judge
12. Larosiere, Matthew (Defendant's attorney)
13. Lopez, Maria Chapa, former United States Attorney
14. Mesrobian, David B., Assistant United States Attorney
15. Monroe, Daniel S., Esq.
16. Rhodes, David P., Assistant United States Attorney, Chief, Appellate Division
17. Richardson, Montgomery (Magistrate)
18. Siekkinen, Sean, Assistant United States Attorney
19. Taylor, Laura Cofer, Assistant United States Attorney
20. Tran, Mai, Assistant United States Attorney
21. Zermay, Zachary (Defendant's attorney)
22. Zermay-Larosiere Law Group

No publicly traded company or corporation has an interest in the outcome of this appeal.

Respectfully submitted,

Respectfully submitted this 26th day of October, 2023,

/s/ Matthew Larosiere

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Certificate of Service

I certify that a copy of the foregoing was sent by CM/ECF on October 26, 2023, and notice of this filing was electronically served on all parties there registered for service, including:

ALEX KING, ESQ.

Counsel for Kristopher Ervin

SEAN SIEKKINEN,

Assistant United States Attorney

/s/ Matthew Larosiere

Matthew Larosiere

Counsel for Appellant Matthew Hoover